

REGISTER

South Dakota Legislative Research Council



Volume 29

Monday, 8:00 a.m., October 7, 2002

A COPY OF EACH REGISTER IS FILED IN THE OFFICE OF THE SECRETARY OF STATE

NOTICES OF PROPOSED RULES: (The date in parentheses is the date the rules were filed in the Legislative Research Council)

Secretary of State: Board of Finance: (October 2, 2002) intends to increase the per diem rates for lodging for state employees traveling within the State of South Dakota. The general authority for these rules, as cited by the commission, is SDCL 3-9-2.

A public hearing will be held in the Governor's Large Conference Room, Capitol Building, Pierre, South Dakota, on November 19, 2002, at 2:00 p.m. Copies of the proposed rules may be obtained from and written comments sent to the Secretary of State, State Board of Finance, 500 E. Capitol, Pierre, South Dakota 57501. Material sent by mail must be received by November 29, 2002, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the board can make arrangements are asked to call (605) 773-3537 at least forty-eight hours before the hearing.

Department of Health: (October 3, 2002) intends to update the list of Category I and Category II reportable diseases. The general authority for these rules, as cited by the commission, is SDCL 34-1-17, 34-22-9, 34-22-12, and 34-23-13.

A public hearing will be held in the State Health Laboratory, large conference room, at 615 East 4th Street, Pierre, South Dakota, on November 6, 2002, at 9:00 a.m. Copies of the proposed rules may be obtained from and written comments sent to Colleen Kozel, Department of Health, 600 East Capitol, Pierre, South Dakota 57501.

Copies of the proposed rules may also be obtained at the Health Department web site: <http://www.state.sd.us/doh/News/index.htm>. Material sent by mail must be received by November 16, 2002, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-3361 at least forty-eight hours before the hearing.

DECLARATORY RULING:

The Public Utilities Commission has filed a Declaratory Ruling with the Legislative Research Council regarding an electric service dispute between Black Hills Power, Inc., and West River Electric Association, Inc. The Commission declared that the provision of electric service by Black Hills Power, Inc. to a certain portion of the Rapid City Waste Treatment Facility violated SDCL 49-34A-42 by rendering electric service at retail within the territory of West River Electric Association, Inc.

The Declaratory Ruling is dated September 24, 2002, and may be reviewed or copied at the office of the Legislative Research Council during normal business hours.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Administrative Rules:

**DEPARTMENT OF COMMERCE AND
REGULATION: STATE PLUMBING**

COMMISSION: 20:53:03:01, 20:53:03:05,
20:53:03:06; 20:53:04:04; 20:53:05:02,
20:53:05:06; 20:53:06:02, 20:53:06:06;
20:53:07:03, 20:53:07:07; 20:53:08:03,
20:53:08:07; 20:54:02:01; 20:54:10:52;
20:54:19:01; 20:54:21:01, 20:54:21:03;
20:54:22:02; 20:54:25:02, 20:54:25:03; and
20:54:26:04.

History-Notice: 28 SDR 177, June 17, 2002

Hearing: July 31, 2002

Filed: September 30, 2002

Effective: October 20, 2002

**DEPARTMENT OF EDUCATION AND
CULTURAL AFFAIRS: 24:17:01:02.**

History-Notice: 29 SDR 19, August 5, 2002

Hearing: August 30, 2002

Filed: October 2, 2002

Effective: October 22, 2002

Note: A copy of the rules may be obtained directly from the above agencies. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed rules. The following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Commerce and Regulation for commercial driver licensing, the Department of Labor for Article 47:03, and the Department of Revenue.

REMINDER OF HEARINGS SCHEDULED

10-10-2002	Game, Fish and Parks: Division of Wildlife	Adopt new rules regarding taxidermists; 29 SDR 37.
10-17-2002	Social Services: Adult Services and Aging	Updates the fee chart to reflect the yearly increase in the federal poverty levels for income and increase the maximum care plan limit; 29 SDR 47.
10-25-2002	Human Services: Division of Mental Health Services	Update definitions and regulations relating to community mental health centers, their programs and practices; 29 SDR 47.
11-6-2002	Health	Update the list of Category I and Category II reportable diseases; 29 SDR 51.
11-19-2002	Secretary of State: Board of Finance	Increase the per diem rates for lodging for state employees traveling within the State of South Dakota; 29 SDR 51.

Rules Review Committee Meetings

The next meeting of the Interim Rules Review Committee will be held Wednesday, November 20 in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2002 interim: January 6, 2003.

Agencies whose rules have had a public hearing will be scheduled to meet with the Rules Review Committee and are asked to have a representative present at the meeting to give background information on their rules.

Note: An updated version of the Administrative Rules Guide to Form and Style is now available at the LRC office and on the LRC web site.

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